

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) **Case No. 6:13-cr-03103-MDH-2**
)
SEAN BOND,)
)
Defendant.)

ORDER

Before the Court is the United States' Motion for Reconsideration (Doc. 112). The United States moves the Court to amend its previous order granting Mr. Ducusin's third party forfeiture petition (Doc. 97) insofar as that order directs Mr. Ducusin to initiate an enforcement action on his lien pursuant to Mo. Rev. Stat. §§ 430.050 and 430.160. The government argues that such an enforcement action is unnecessary and inappropriate pursuant to 21 U.S.C. § 853(k). The government requests the Court to enter an order allowing the government to sell the vehicle and pay Mr. Ducusin's lien pursuant to procedures established by the Department of Treasury Asset Forfeiture Fund, 31 U.S.C. § 9703, and the practices routinely employed by agencies operating under such fund.

Upon further review and consideration, the Court hereby **GRANTS** the United States' motion (Doc. 112). Any state court petition filed by Mr. Ducusin pursuant to the Court's previous order shall be dismissed pursuant to 21 U.S.C. § 853(k) and the Court's order dated January 28, 2015 (Doc. 97) is hereby amended as follows, with changes italicized:

The third-party forfeiture petition filed by Rick Ducusin on behalf of Rooster's Paint and Speed (Doc. 84) is **GRANTED**. Mr. Ducusin *has a valid* lien on the 2002 Firebird Pro-Mod

Race Car in the amount of \$13,720, which represents the amount stated in the signed memorandum of work/material to be furnished on the vehicle (\$16,600) less payments made by Defendant (\$2,880). The Court grants the IRS and the Treasury Asset Forfeiture Fund ninety (90) days from the date of sale of the 2002 Firebird Pro-Mod Race Car in which to pay the lien of Rick Ducusin. The Court shall incorporate Mr. Ducusin's lien interest into the Court's Final Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(c)(2).

IT IS SO ORDERED:

Date: February 10, 2015

/s/ Douglas Harpool _____
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE